HON'BLE SRI JUSTICE N.V. RAMANA

W.P.No.18509 of 2007

Dated 31st day of August, 2007

Between:

Kothapalli Subba Rao .. Petitioner

And

Eastern Power Distribution Company of
Andhra Pradesh Limited, Visakhapatnam,
rep. by its Chairman and Managing Director
and two others .. Respondents

O R D E R:-

This writ petition is filed seeking a mandamus to declare the Memo dated 20.7.2007 issued by the 3rd respondent, as arbitrary and illegal.

The petitioner asserts that on the basis of the Provisional I.T.I. (Electrical) Trade Certificate, he got appointment in the 1st respondent-A.P.E.P.D.C. Limited as Junior Lineman on 19.1.2007 on contract basis for a period of one year, and since then, he has been discharging his duties satisfactorily. Now, his grievance is that the 3rd respondent-Divisional Electrical Engineer issued the impugned Memo holding that the certificate produced by the petitioner is not genuine and as per XXX of A.P.S.E. Board Disciplinary and Appeal Regulation, it comes under "Misconduct" and directed him to show cause as to why his services should not be terminated, within 15 days from the date of receipt of this Memo. Further, though the petitioner submitted two representations, the respondents have not passed any orders on them

Heard the learned counsel for both the parties and perused the material placed on record.

No doubt, during the course of verification made by the respondents about the genuineness of the academic credentials submitted by the petitioner at the time of his appointment to the post of Junior Lineman, the petitioner's Provisional I.T.I. (Electrical) Trade

Certificate was not found to be genuine. However, according to the learned counsel for the petitioner, the petitioner submitted a representation dated 6.8.2007 requesting the 3rd respondent to furnish details and reasons about doubting the genuineness of his I.T.I certificate so as to enable him to submit his explanation, which was followed by another representation, dated 14.8.2007, but the respondents have neither furnished any details nor passed any orders on them so far.

In the circumstances, this Court deems it appropriate to direct the respondents to consider the representations dated 6.8.2007 and 14.8.2007 and furnish the details to the petitioner to enable him to reply to the show cause notice.

With the above direction, the writ petition is disposed of. No costs.

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(N.V. RAMANA, J.)

Dated 31st August, 2007

bcj